

**Information Network of Kansas
Board Meeting
September 3, 2009**

The September 3, 2009 meeting was held at the KDOT Office, 700 SW Harrison, 2nd Floor, Topeka, KS 66603. At 10:01 a.m. Chairman Dunham called the meeting to order.

The following Board members and proxy were present: Stan Ahlerich, Gary Centlivre, Cynthia Dunham, Duncan Friend, Joe Hennes, David King, Travis Rozean, Kathy Sachs and Dan Yunk. Others present were: Jim Hollingsworth, INK Executive Director; Phil Elwood, INK General Counsel; Lisa Jones, Shane Myers, Michael Cook, and Wayne Dirks, Kansas Information Consortium (KIC); Dan Korber, Kansas, Inc.; Trevor Wohlford, Bruce Larkin, Jody Allen, Kansas Court of Tax Appeals

Consent Agenda

Dunham referred to the Consent Agenda for September 3, 2009. The following items were on the Consent Agenda:

- July 2009 INK Board Minutes
- August 2009 Teleconference Meeting Minutes
- Executive Director Report
 - Contracts: (Both are 1-year term and date change only)
 - Legislative Coordinating Council
 - Legislative Revisor's Office
- July 2009 Network Manager Report
 - Contracts:
 - Board of Healing Arts, Kansas Mentors, Kansas Department of Health and Environment (Approved via teleconference)
- August 2009 Network Manager Report
 - Contracts:
 - Kansas Health Policy Authority and Kansas Department of Agriculture

A motion was made by Sachs to approve the Consent Agenda for the September 3, 2009 Board Meeting. Seconded by Yunk. Motion carried.

Regular Agenda

Hollingsworth noted the Board had requested further information regarding the results and effectiveness of previous grant projects and he had invited the Kansas Court of Tax Appeals (COTA) to provide an overview of their project and outcomes. Hollingsworth introduced Wohlford to the Board.

Kansas Court of Tax Appeals Grant Results

Wohlford noted the funding from INK had served as a catalyst to improve COTA's performance and efficiency, with the move to a completely paperless system, which had virtually eliminated their backlog of cases. Wohlford highlighted various aspects of the project, such as a new website, more consistency based on better information, the potential for online filing, etc. Wohlford thanked the INK Board for their investment and looked forward to INK realizing a return on investment. Discussion ensued.

At 10:20 a.m. Wohlford, Larkin and Allen were excused from the meeting.

Hollingsworth provided the Board with a handout summarizing previous INK Grants, noting the granting process was a significant aspect of the INK Business Plan and Strategic Objectives. Discussion ensued.

Executive Director Contract: Attachment A

Dunham noted this item required Executive Session and moved it to the end of the meeting.

INK Financial Audit Statement of Work

Hollingsworth provided an update regarding the annual INK financial audit, noting the Board had previously discussed the issues with the former contractor, Wendling Noe Nelson and Johnson (WNNJ), and that they would not move forward without a SAS 70 audit. At the Board's request, Hollingsworth had met with WNNJ principals and they were aware that they were no longer performing INK's audit. Hollingsworth noted he had received three bids for the financial audit, with one firm indicating they had the expertise necessary for the audit, and the other two firms indicating they did not have the local expertise necessary for the project. Hollingsworth recommended that the Board approve Berberich and Trehan to perform INK's 18-month financial and contractual audit for the amount of \$21,000 plus travel.

A motion was made by Yunk to approve Berberich and Trehan to perform INK's 18-month financial and contractual audit for the amount of \$21,000 plus travel. Seconded by Ahlerich. Motion carried.

Data Center Move Update

Hollingsworth provided an update regarding the KIC Data Center move to Virginia, noting the Subcommittee had voiced concerns with the current backup tape for the portal. Hollingsworth referred the Board to the letter dated August 27, 2009 from Jones, proposing an additional back-up solution that would provide a copy of the same tape that KIC would use in case of emergency. Hollingsworth noted this proposal would impact the contract between INK and KIC.

Elwood suggested this item be discussed in Executive Session. Dunham moved the item to the end of the meeting.

Customer Service Escalation Procedure

Hollingsworth provided an update regarding the customer service escalation procedure, noting the Subcommittee had developed a resolution regarding customer support and was working towards a resolution on project management.

Jones provided a presentation summarizing various aspects of the customer support resolution, noting prioritization of critical, high, medium and low levels of importance would be assigned to each incident and they would be addressed accordingly. Jones noted a solid communication plan was a key aspect of the resolution. Discussion ensued.

Friend requested clarification regarding the Executive Director's role. Hollingsworth noted direct communication to the Board was the role of the Executive Director in the process and he received regular reports from KIC in regards to these incidents.

At 11:08 a.m. King was excused from the meeting.

June 30, 2009 INK Financials

Hollingsworth provided an overview of the INK Financials for the period ending June 30, 2009. Hollingsworth noted net income was below budget due to granting anomalies, and otherwise noted no major anomalies.

A motion was made by Ahlerich to approve the INK Financials for the period ending June 30, 2009 and file for audit. Seconded by Yunk. Motion carried.

Executive Session – Subcommittee for Data Center Move

At 11:15 a.m. Yunk moved that the open meeting of the Information Network of Kansas be recessed for a closed, executive meeting pursuant to Joint Rule 5 of the Joint Rules of the Senate and House of Representatives and subsection (b) (13) of KSA 2000 Supp. 75-4319, as amended by Section 2 of Chapter 190 of the 2001 Session Laws of Kansas, for the purpose of consulting with Counsel to discuss contract issues related to the attorney-client privilege. No binding action shall be taken during closed or executive recesses and that the Information Network of Kansas resume the open meeting in this room, 2nd Floor of the KDOT offices at 11:40 a.m., and that this motion, if adopted, be recorded in the minutes of the Information Network of Kansas and be maintained as a part of the permanent records of the Board. Seconded by Rozean. Dunham requested the INK Executive Director and INK Counsel remain present for Executive Session. Motion carried.

At 11:40 a.m. the Board resumed the open meeting.

At 11:40 a.m. Ahlerich moved that the open meeting of the Information Network of Kansas be recessed for a closed, executive meeting pursuant to Joint Rule 5 of the Joint Rules of the Senate and House of Representatives and subsection (b) (13) of KSA 2000 Supp. 75-4319, as amended by Section 2 of Chapter 190 of the 2001 Session Laws of Kansas, for the purpose of consulting with Counsel to discuss contract issues related to the attorney-client privilege. No binding action shall be taken during closed or executive recesses and that the Information Network of Kansas resume the open meeting in this room, 2nd Floor of the KDOT offices at 11:50 a.m., and that this motion, if adopted, be recorded in the minutes of the Information Network of Kansas and be maintained as a part of the permanent records of the Board. Seconded by Centlivre. Dunham requested the INK Executive Director and INK Counsel remain present for Executive Session. Motion carried.

At 11:52 a.m. the Board resumed the open meeting. Dunham reported the INK Board would seek outside help in regards to this issue and INK Counsel would draft a letter to address the Board's concerns.

Executive Session – Executive Director Contract: Exhibit A

At 11:54 a.m. Yunk moved that the open meeting of the Information Network of Kansas be recessed for a closed, executive meeting pursuant to Joint Rule 5 of the Joint Rules of the Senate and House of Representatives and subsection (b) (13) of KSA 2000 Supp. 75-4319, as amended by Section 2 of Chapter 190 of the 2001 Session Laws of Kansas, for the purpose of discussing personnel matters of non-elected personnel. No binding action shall be taken during closed or executive recesses and that the Information Network of Kansas resume the open meeting in this room, 2nd Floor of the KDOT offices at 12:04 p.m., and that this motion, if adopted, be recorded in the minutes of the Information Network of Kansas and be maintained as a part of the permanent records of the Board. Seconded by Ahlerich. Dunham requested the INK Executive Director and INK Counsel remain present for Executive Session. Motion carried.

At 12:03 p.m. the Board resumed the open meeting.

A motion was made by Yunk to approve the Executive Director Contract with Exhibit A. Seconded by Rozean. Motion carried.

Adjourn

With no further business, at 12:05p.m., Dunham requested a motion to adjourn the meeting. A motion was made by Yunk to adjourn the meeting. Seconded by Ahlerich. Motion carried.

Respectfully submitted

Stan Ahlerich
Secretary